

cc Steve Alder

W Wright

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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY
(LEXINGTON DIVISION)

RECEIVED

SEP 30 2002

In re

Chapter 11 Proceeding

LODESTAR ENERGY, INC.
LODESTAR HOLDINGS, INC.,

Case Nos. 01-50969 and 01-50972

Debtors.

Jointly Administered under
Case No. 01-50969

Judge Joseph M. Scott, Jr.

LODESTAR ENERGY, INC., ET AL.

ADV. PROCEEDING NO. 02-5001

PLAINTIFFS

vs.

THE STATE OF UTAH, ET AL.

DEFENDANTS.

Discussed w/ Steve Alder
10-1-02 No need to be
included LRB 10-1

SECOND MOTION FOR ORDER EXTENDING EXPIRATION DATE OF
PROTECTIVE ORDER FOR PLAINTIFFS' CONFIDENTIAL COMMERCIAL
INFORMATION CONTAINED IN PLAINTIFFS' EXHIBIT "F"
OF THE PLAINTIFFS' DISCLOSURE OF EXHIBITS

Lodestar Energy, Inc. ("LEI") and Lodestar Holdings, Inc., debtors and debtors-in-possession in the above jointly administered Chapter 11 cases, and Plaintiffs in the captioned case (collectively, the "Plaintiffs"), hereby respectfully move the Court for an order extending the expiration date of the Protective Order entered January 31, 2002 (docket no. 32). A Motion Extending Expiration Date of Utah Exhibit "F" Protective Order was filed May 20, 2002 and Order Extending Expiration Date of Utah Exhibit "F" Protective Order entered June 4, 2002 (docket no. 40) (the "Utah Exhibit 'F' Protective Orders").

In support of this motion, the Plaintiffs respectfully state and represent as follows:

1. On January 24, 2002, the Plaintiffs filed their Emergency Motion for Protective Order for Plaintiffs' Confidential Commercial Information Relating to Exhibit "F" of the Plaintiffs' Disclosure of Exhibits (docket no. 22) (the "Protective Motion"). In the Protective Motion, the Plaintiffs requested that the Court enter an order directing that Exhibit "F," containing confidential information, be filed with the Court under seal.

2. The Court sustained the Protective Motion by entry of the Protective Order.

3. The Protective Order contains the following provision:

"This Order shall expire 120 days from the date of its entry without prejudice to the right of Plaintiffs or any other party in interest to request a later expiration date."

Accordingly, in the absence of an extension of the expiration date, the Protective Order will expire on October 2, 2002.

4. The ground supporting entry of the Protective Order – protection from public disclosure of the confidential pricing and other information contained in the confidential documents – is as relevant and compelling at this time as it was when the Protective Motion was filed. Accordingly, the Plaintiffs must continue to be protected from the possibility of disclosure of pricing and other confidential information to their competitors.

5. The Plaintiffs submit that it is in their best interests and in the best interests of their estates and creditors that the Court extend the Protective Order for an additional 120 days.

WHEREFORE, the Plaintiffs respectfully request that the Court enter an order: (i) granting this Motion in all respects; (ii) making the Utah Exhibit "F" Protective Order retroactive to October 2, 2002 (iii) extending the expiration date of the Protective Order for a period of 120

days; and (iv) granting to the Debtor such other relief as the Court may deem appropriate in the circumstances.

NOTICE

Notice is hereby given that unless any objection(s) to the forgoing is timely filed on or before Monday, October 7, 2002, the Court may enter an Order approving same without notice or hearing.

Dated: September 27, 2002

Respectfully submitted,

SQUIRE, SANDERS & DEMPSEY L.L.P.

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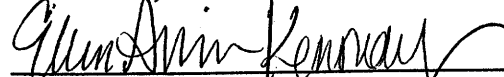
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COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by email or U.S. Mail, postage pre-paid, as indicated, on this the 27 day of September, 2002 on the following parties:

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VALENTIS INVESTORS, LLC


COUNSEL FOR PLAINTIFFS

Doc#54595

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
(LEXINGTON DIVISION)**

IN RE

**LODESTAR ENERGY, INC.
LODESTAR HOLDINGS, INC.**

DEBTORS.

CHAPTER 11 PROCEEDING

**CASE NOS. 01-50969 and
01-50972**

**Jointly Administered Under
Case No. 01-50969**

Judge Joseph M. Scott, Jr.

LODESTAR ENERGY, INC., ET AL.

ADV. PROCEEDING NO. 02-5001

PLAINTIFFS

vs.

THE STATE OF UTAH, ET AL.

DEFENDANTS.

**SECOND ORDER EXTENDING EXPIRATION DATE OF
PROTECTIVE ORDER RELATING TO CONFIDENTIAL COMMERCIAL
INFORMATION CONTAINED IN PLAINTIFFS' EXHIBIT "F"
OF THE PLAINTIFFS' DISCLOSURE OF EXHIBITS**

This matter came before the Court on the Second Motion for Order Extending Expiration Date of Protective Order Relating to Confidential Commercial Information contained in Plaintiffs' Exhibit "F" of the Plaintiffs' Disclosure of Exhibits (the "Motion"), filed by Lodestar Energy, Inc. and Lodestar Holdings, Inc., debtors and debtors-in-Possession (collectively, the "Debtors"), requesting that the Court enter an Order extending the expiration date of the Court's Protective Order entered January 31, 2002 (docket no. 32) (the "Utah Exhibit F Protective

Order") and the Court's Order Extending Expiration Date of Protective Order Relating to Utah Exhibit F entered on June 4, 2002 (docket no. 40); and it appearing to the Court that the good and sufficient cause exists for granting all of the relief requested by the Debtors in the Motion; now, therefore, it is hereby

ORDERED that the Utah Exhibit F Protective Order applies retroactively to October 2, 2002 and shall expire 120 days from the date of entry of this Order, without prejudice to the right of the Debtors or any other party in interest to request a later expiration date.

IT IS SO ORDERED.

Dated: _____, 2002

HON. JOSEPH M. SCOTT, JR., JUDGE
UNITED STATES BANKRUPTCY COURT

SQUIRE, SANDERS & DEMPSEY L.L.P.

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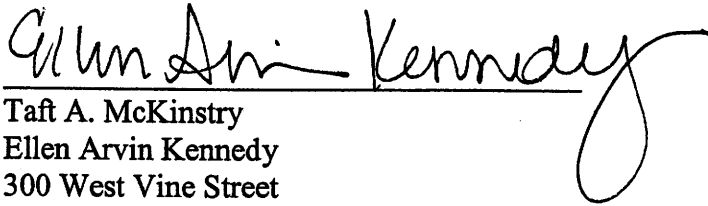
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**COUNSEL FOR DEBTORS AND
AND DEBTORS IN POSSESSION**

Pursuant to Local Rule 9022-1(c), Taft A. McKinstry or Ellen Arvin Kennedy shall cause a copy of this Order to be served on each of the parties designated to receive this order pursuant to Local Rule 9022-1(a) and shall file with the Court a certificate of service of the Order upon such parties within ten (10) days hereof.

Doc #146648

**UNITED STATES BANKRUPTCY COURT
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LODESTAR HOLDINGS, INC.

DEBTORS.

CHAPTER 11 PROCEEDING

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PLAINTIFFS)

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THE STATE OF UTAH, ET AL.)

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DEFENDANTS.)

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ADV. PROCEEDING NO. 02-5001

**SECOND BRIDGE ORDER EXTENDING EXPIRATION DATE OF
PROTECTIVE ORDER RELATING TO CONFIDENTIAL COMMERCIAL
INFORMATION CONTAINED IN PLAINTIFFS' EXHIBIT "F"
OF THE PLAINTIFFS' DISCLOSURE OF EXHIBITS**

This matter came before the Court on the motion (the "Motion") filed on September 27, 2002, Lodestar Energy, Inc. ("LEI") and Lodestar Holdings, Inc. ("LHI"), debtors and debtors-in-possession in the above-captioned jointly administered Chapter 11 cases (collectively, the "Debtors"), seeking an order extending the expiration date of Protective Order entered January 31, 2002, (docket no. 32) and the Order Extending Expiration Date of Protective Order Relating to Utah Exhibit "F" entered June 4, 2002 (docket no. 40) (the "Extension Order") retroactive to and beyond its current expiration date of October 2, 2002.

The Court finding that the current expiration date has occurred prior to the Court's entry of an Order on the Motion and good and sufficient cause exists for the extensions of time stated below and that such extensions are in the best interests of the Debtors, their creditors and estates, it is

THEREFORE AND HEREBY ORDERED that the Protective Order is extended until October 7, 2002, at which time Objections to the Motion, if any, may be heard.

Dated: _____

HON. JOSEPH M. SCOTT, JR., JUDGE
UNITED STATES BANKRUPTCY COURT

TENDERED BY:

SQUIRE, SANDERS & DEMPSEY L.L.P.

Stephen D. Lerner

Jeffrey A. Marks

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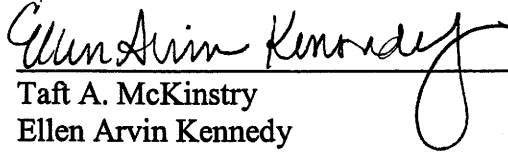
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